

REMARKS

Reconsideration of the present application in view of the foregoing amendments and following remarks is respectfully requested.

Claims 6, 10 and 11 have been amended to more clearly define the claimed invention. New claims 15-21 are added to provide Applicant's with the scope of protection to which they are believed entitled. The foregoing amendments are fully supported throughout the original application, e.g., paragraph 2 on page 28, last paragraph on page 28, paragraph 3 on page 22 and last paragraph on page 21. No new matter has been introduced through the foregoing amendments.

In view of claim 11 being amended to include proper antecedent basis, objection to claim 11 is believed overcome.

The Examiner in the Official Action has rejected claims 1-3 and 6-7 under 35 U.S.C 103 (a) as being unpatentable over Sparks II (US 6,352,479) in view of Yoseloff et al. (US 2002/0074726), claims 4 and 8 under 35 U.S.C 103 (a) as being unpatentable over Sparks II, Yoseloff and further in view of Vancura et al. (US 6,033,307), claims 5 and 9 under 35 U.S.C 103 (a) as being unpatentable over Sparks II, Yoseloff and further in view of Slomiany et al. (US 6,159,098), claims 10-12 under 35 U.S.C 103 (a) as being unpatentable over Sparks II, Yoseloff and further in view of Marks et al. (US 5,882,260), claim 13 under 35 U.S.C 103 (a) as being unpatentable over Sparks II, Yoseloff, Marks and further in view of Vancura and claim 14 under 35 U.S.C 103 (a) as being unpatentable over Sparks II, Yoseloff, Marks and further in view of Vancura.

The Applicants respectfully traverse these rejections at least because the teachings of the Yoseloff reference, which is applied for rejecting the claims, would not lead a person of ordinary skill in the art to combine Yoseloff with the other applied references in order to arrive at the claimed invention. For example, the Examiner, in the Office Action *at page 2 paragraph 5 and the paragraph bridging pages 2 and 3*, admits that the Spark II reference fails to disclose the special game shift means but alleges that the Yoseloff reference teaches such special game shift means by citing paragraph 31, lines 11-16 of Yoseloff. The Applicants believe that the Examiner may perhaps be misinterpreting lines 11-16 of paragraph 31 of the Yoseloff reference because, the bonus event/special mode depends upon a minimum number of a single predefined events occurring in the play of the game and not on the previously stored personal attribute information (paragraph 31, see lines 7-11of Yoseloff).

Further, the Yoseloff reference discloses a live casino game, wherein the first gaming segment is played with physical card at a casino table *see paragraph 30 lines 29-30*, which feature logically necessitates a person of ordinary skill in the art to think that the players must be physically present before the casino table in order to participate in the game. On the contrary, the Spark reference discloses a method and apparatus for playing video game among a plurality of players over a wide area network (WAN), which feature implies that the participants of the game need not be physically present at the same venue. Based on the above reasons, the Applicants believe that the teachings

of the references would not lead a person of ordinary skill in the art to combine the references in order to arrive at the claimed invention. At least for the above reasons, withdrawal of the rejections of claims 1-14 is respectfully requested.

Further, with respect to original independent claim 10, the Examiner in the Office Action *at paragraph bridging pages 7 and 8*, alleges that the Yoseloff reference, *at col 6 lines 18-33*, teaches the gaming method comprising: determining whether an event for causing the game shift to a special mode entitled a game name based on features of the personal attribute information. However, the Examiner cited portion of the Yoseloff reference does not disclose any of the alleged features. The Examiner cited portion of the Yoseloff reference is as follows...

While continuous rounds are played, players are rewarded when their player jackpot tally event display has exceeded a predetermined player jackpot tally event threshold. All players are rewarded if said dealer bust event display has exceeded a predetermined dealer bust event threshold. The player jackpot tally event display is zeroed when the associated player's card hand does not increment the player's said jackpot tally event display. The method also includes zeroing said dealer jackpot tally event display when the dealer's card hand did not increment said dealer bust event display.

[0025] U.S. Pat. No. 6,146,270 describes an apparatus for playing a game consisting of an auxiliary prize game played along with a principal casino game played by a dealer and a plurality of players seated at a plurality of player positions at a casino gaming table.

Should the citation be a typographical error, the Examiner is hereby requested to provide the Applicants with a proper citation for expediting the prosecution of the present application.

Patentability of new claims:

New independent claim 15 is patentable over the applied references because, claim 15 requires “A gaming system.. wherein the special mode is entitled with a game name based on the features of said personal attribute information.” This feature of claim 15 is not disclosed by any of the applied references.

Further, claims 16-20 either directly or indirectly depend from the independent claim 1 and hence are believed patentable over the applied references at least for the reasons advanced above with respect to independent claim 1.

Claim 21 is directly dependent on independent claim 10 and hence is believed patentable over the applied art of record.

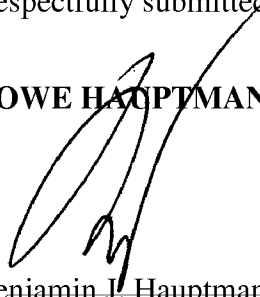
Each of the Examiner’s rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant’s attorney of record to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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A handwritten signature in black ink, appearing to be 'B. Hauptman', written over the firm name.

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